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5
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6 FABIAN GARCIA-PALACIO

7
8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE EASTERN DISTRICT OF CALIFORNIA
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 FABIAN GARCIA-PALACIO

15 Defendant,
16

Case No. 1:20-mj-00074-SKO

STIPULATION TO TEMPORARILY MODIFY
TERM OF PRETRIAL RELEASE FOR
CHRISTMAS; ORDER

JUDGE: Hon. Sheila K. Oberto

17 **IT IS HEREBY STIPULATED** by and between the parties hereto through their
18 respective counsel, that Fabian Garcia-Palacio's order of release condition (7)(n) be modified to
19 allow Mr. Garcia-Palacio to attend a family Christmas gathering at his aunt's home in Fresno,
20 California, from 4:00 p.m. on Thursday, December 24, 2020 until 2:00 a.m. on Friday, December
21 25, 2020. Mr. Garcia-Palacio requests the conditions of his release be modified to accommodate
22 the family tradition of celebrating at midnight on Christmas day. At all times, Mr. Garcia-Palacio
23 would be accompanied by and be in the presence of his mother, Perla Gonzalez, who is the
24 court-approved third-party custodian. Travel would be authorized directly to and from his aunt's
25 home. The address has been supplied to pretrial services and will be sent to the court under
26 separate cover. No other stops or detours allowed. Mr. Garcia-Palacio has complied with all
27 terms of his release to date and has done particularly well in the Better Choices program.

28 All other conditions remain in full force and effect. Supervising Pretrial Services Officer

1 Frank Guerrero has no objection to the requested modification. The Government does not object.

2 Respectfully submitted,

3 MCGREGOR SCOTT
4 United States Attorney

5 DATED: December 16, 2020

/s/ Justin J. Gilio
6 JUSTIN J. GILIO
7 Assistant United States Attorney
8 Attorney for Plaintiff

9 HEATHER E. WILLIAMS
10 Federal Defender

11 DATED: December 16, 2020

/s/ Benjamin Gerson
12 BENJAMIN GERSON
13 Assistant Federal Defender
14 Attorneys for Defendant
15 FABIAN GARCIA-PALACIO

16 **ORDER**

17 **IT IS SO ORDERED** that the pretrial release condition (7)(n) be modified to allow Mr.
18 Garcia-Palacio visit his aunt's home in Fresno, California, from 4:00 p.m. on Thursday,
19 December 24, 2020 until 2:00 a.m. on Friday, December 25, 2020, in the immediate presence of
20 his Third-Party Custodian Perla Gonzalez at all times.

21 All other conditions remain in full force and effect.

22 IT IS SO ORDERED.

23 Dated: **December 16, 2020**

24 
25 UNITED STATES MAGISTRATE JUDGE